

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

January 18, 2005

IN RE:

**PETITION OF IRM UTILITY, INC. TO EXPAND
ITS SERVICE AREA TO INCLUDE A PORTION
OF KNOX COUNTY, TENNESSEE KNOWN AS
KENNESAW PARK SUBDIVISION**

**DOCKET NO.
04-00267**

ORDER DEFERRING PROCEEDINGS


This matter came before Chairman Pat Miller, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on October 11, 2004, for consideration of the *Petition of IRM Utility, Inc. to Amend Its Certificate of Public Convenience and Necessity* ("Petition"), filed by IRM Utility, Inc. ("IRM") on August 25, 2004. In its *Petition*, IRM sought to expand its service area to a portion of Knox County, Tennessee known as the Kennesaw Park Subdivision. At a regularly scheduled Authority Conference held on September 13, 2004, the panel voted unanimously to appoint the Authority's General Counsel or his designee to act as Hearing Officer in this matter for the purpose of hearing preliminary matters prior to the Hearing and setting a procedural schedule to completion. On October 4, 2004, the First Utility District of Knox County, Tennessee ("First Utility District") filed its *Petition to Intervene of the First Utility District of Knox County, Tennessee* ("Petition to Intervene").

At a regularly scheduled Authority Conference held on October 11, 2004, the panel

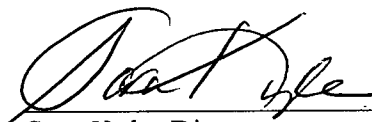
determined that a deferral of the proceedings in this Docket would give the Authority additional time to determine a policy or approach concerning verification of whether a utility district or any governmental entity wishes to provide wastewater service in a particular area. In addition, the panel cited recent concerns expressed by the Tennessee Department of Environment and Conservation regarding the Authority's granting of Certificates of Public Convenience and Necessity for the type of wastewater system being proposed as an additional reason to continue these proceedings to a future date. Therefore, the panel voted unanimously to defer consideration of the *Petition* and the *Petition to Intervene*.

IT IS THEREFORE ORDERED THAT:

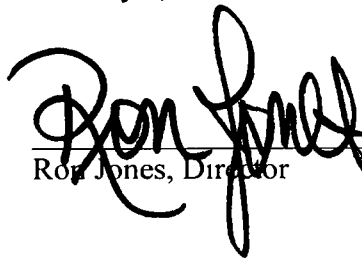
Further consideration of the *Petition of IRM Utility, Inc to Amend Its Certificate of Public Convenience and Necessity* and the *Petition to Intervene of the First Utility District of Knox County, Tennessee* is deferred.



Pat Miller, Chairman



Sara Kyle, Director



Ron Jones, Director